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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RP GOLDEN STATE MANAGEMENT, LLC; ASHA DESAI; and PAUL DESAI,)	Case No.: 1:20-cv-1479 NONE JLT
)	
Plaintiffs,)	ORDER TO SHOW CAUSE WHY THE ACTION SHOULD NOT BE DISMISSED
)	
v.)	
)	
STEPHEN H. BOYLE, et al.,)	
)	
Defendants.)	
)	

Plaintiffs commenced this action by filing a complaint on October 13, 2020. As a general rule, all parties instituting any civil action, suit or proceeding in a United States District Court must pay a filing fee. 28 U.S.C. § 1915(a). However, the Court may authorize the commencement of an action by a party who submits an affidavit that includes a statement of all assets such that the party is unable to pay the filing fee. 28 U.S.C. § 1915(a)(1). Therefore, an action may proceed despite a failure to prepay the filing fee only if leave to proceed in forma pauperis is granted. See *Rodriguez v. Cook*, 169 F.3d 1176, 1177 (9th Cir. 1999).

Because Plaintiffs failed to pay the requisite filing fee, the matter cannot proceed before the Court at this time. On October 21, 2020, the Court issued an order directing Plaintiffs to pay the filing fee or file a motion to proceed IFP within twenty-one days of the date of service. (Doc. 2) Thus, Plaintiffs were to respond to the order no later than November 16, 2018. (See *id.* at 2). In addition,

1 the order contained a notice to Plaintiffs that failure to comply with this order may result in
2 dismissal of this action pursuant to Local Rule 1100 Id. at 2 (emphasis in original). Nevertheless,
3 Plaintiffs

4 party to comply with . . . any order of the Court may be grounds for the imposition by the Court of any
5 and all sanctions . . . within the
6 including dismissal of an action. Thompson v. Housing Authority of Los Angeles, 782 F.2d 829, 831
7 an action or failure to obey a court order, or failure to comply with local rules. See, e.g. Ferdik v.
8 Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (dismissal for failure to comply with an order);
9 Malone v. U.S. Postal Service, 833 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with
10 a court order); Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to
11 prosecute and to comply with local rules).

12 Accordingly, Plaintiffs are **ORDERED** to show cause within fourteen days why the action
13 filing fee or file a motion to proceed in forma pauperis.

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19 IT IS SO ORDERED.

20 Dated: November 17, 2020

/s/ Jennifer L. Thurston
21 UNITED STATES MAGISTRATE JUDGE
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